

VIN: 6116709

Ina and I have spent more than 23 years of our 34-year marriage working together, covering ecommerce from its very early years. Our website, EcommerceBytes, grew up alongside ecommerce. Our readers are stay-at-home parents, seniors looking to supplement their income, people with disabilities who were able to create a business tailored to their needs, and entrepreneurs to whom selling online held the promise of a level playing field. In addition to keeping them informed, we built a community where merchants could congregate and speak their truths without fear of reprisal.

We were proud to have built and funded the site ourselves and to have grown it into a successful online publication and self-sustaining business. The success of our business depends on online sellers, and ecommerce - including eBay - thriving. For eBay to have thought otherwise was not only misguided, but dangerous. Their CEO became so consumed with our reporting that he issued an edict that resonated throughout the company:

“Take her down.”

That sentiment was shared by eBay’s COO and countless other executives – both indicted and unindicted – at eBay. What happened to us in the Summer of 2019 has deeply scarred Ina and me psychologically and put us in financial jeopardy at an age when most people are beginning to plan for retirement. The defendants have stolen over three years of our lives and the repercussions of their actions will reverberate far beyond the personal toll it’s taken on us.

I’m still trying to understand eBay’s actions against us, and how their employees could go “all in” on a plan you would expect to be devised by the most disturbed of sociopaths. Our emotional well-being has been shaken not only by the initial terror inflicted by the perpetrators, but also the ensuing sleepless nights, the anxiety, anger, depression, insecurity about our future and the immense amount of bandwidth that this case has taken up in our lives.

There have been devastating consequences to our business and financial well-being as well. We have had to cash out CDs earmarked for our retirement to make up for the shortfall in business revenue we experienced due to eBay’s actions and to ensure that we had enough income to pay our daily living expenses. I applied for, and began receiving Social Security this year at 62, rather than 67 as I had long planned, to pay household expenses. Having to take Social Security now will have an irrevocable effect on our future income, since the payments are substantially smaller than if I had been able to wait.

Because of our new economic reality, we have had to slash our health insurance costs, opting for a higher deductible and more limited network of doctors. We’re now both older than 60, and at a point in our lives when medical considerations become more of a reality.

I can’t underscore strongly enough how dangerous this was to us, and how dangerous it is to others. The criminal complaint was a glimpse into a very dark and disturbing story. The defendants had prepared a false dossier to present to the Natick Police, painting us as “Persons of Interest” who had made threats against company executives. eBay had our personal records. Some had been obtained when we signed up for the site, and other, more detailed information, had been secured by other means. They had our Social Security numbers, banking information, and other important personal data. If the perpetrators hadn’t been caught, how were they planning on using this information against us?

Defendant Baugh in particular was eager to please his bosses, even willing to harm us physically by sending members of a Samoan gang to our home - members who he emphasized were not “good guys,” and that whatever happened would be out of his control.

The behavior of eBay, the defendants and the unindicted co-conspirators has implications far beyond what they did to us. This was a premeditated campaign by a Fortune 500 company, with nearly limitless resources, to threaten and intimidate two journalists simply because the CEO did not like the content of our articles. A corporation that feels entitled to trample a journalist’s First Amendment enters dangerous territory in a country that depends on its press to write freely and truthfully.

And what if eBay had been successful in shutting down our reporting? Was this the protocol for handling publications that got out of line? As the former CEO, Devin Wenig, texted to his Chief Communications Officer, “Fuck them. The journal is next on the list,” referring to the Wall Street Journal.

But the most painful aspect of this nightmare was to witness the effect it had on my wife, Ina. To say that she is the most important thing in my life is in not expressing it fully. I know her heart, her moral compass, her ethics and her compassion. She is simply the best person I know, and to see her targeted, terrorized and traumatized was excruciating.

Defendant Baugh

Defendant Baugh was fully aware of his actions and more than willing to follow the directions of his superiors at eBay to terrorize my wife and me.

The Defendant has not taken full responsibility for his crimes, instead stating that his unique skillset - his experience in government agencies and other security organizations - was the reason eBay hired him and he was simply carrying out the job expected of him. Baugh may have been a hired gun, instructed by his superiors at eBay to “find and destroy” us, but it is beyond question that he knew his methods were illegal.

As the defendant’s motions for discovery during his defense mounted, we were in the unusual position of supporting them, hoping that more discovery might bring answers to the questions we sought for closure and to encourage the US Attorney’s Office to dig deeper. Why had a Fortune 500 company put a target on our backs? How high into the C-Suite of eBay had this gone? How had eBay’s COO, who lied to investigators and destroyed evidence not been indicted? Who else within the company had approved of this operation, either overtly or tacitly?

Unfortunately, this is not closure for us. Baugh’s discovery shows there *were* unindicted co-conspirators, yet eBay was allowed to essentially investigate themselves, and later give a PowerPoint presentation to the government to lobby against prosecution.

Defendant Harville

As for Defendant Harville, despite trying to minimize his role, he was squarely in the middle of this operation. He was in Natick. He tried to break into our garage to affix a GPS tracker to our car. He was in one of the vehicles surveilling us. He had documents discrediting us at the ready to show the Natick Police in the event he was stopped. All that, in addition to obstructing justice and destroying evidence, which despite having some charges dropped, he pleaded to the facts before the court.

And how repentant was the defendant after being caught? When the Natick Police Department obtained records from the Boston rental car company, Harville began making threats to sue the NPD for violating his civil liberties. Defendant Baugh joked, "[Harville] will scream violation of his privacy" if he knew the NPD had his name.

It's ironic that Harville would be so concerned about protecting his civil liberties just days after willfully violating ours.

I'd also note that after he was indicted, he took steps to protect his own business venture, selling non-metallic tactical weapons online - the type that bad actors might use when trying to slip a weapon past airport metal detectors - by reincorporating and adding his wife's name as president of the company, in the event he was found guilty of a felony. Again, ironic that he took these measures to protect his company after participating in a conspiracy to destroy ours.

The past three years have been a nightmare, and the cumulative effects of this case have been devastating to us. I've experienced extreme anxiety and anger, deep depression, hundreds of sleepless nights, and a residual mistrust that affects my relationships and how I interact with people. After decades spent building our business, I'm worried that our financial future is in jeopardy.

I've labored over my victim impact statements for two years. We may both write for a living, but this has been the most difficult assignment I've ever had. This the only opportunity we have in the criminal case to express the enormous impact that the defendants' actions have had on our lives.

I'm struggling to get to a place where I can forgive the seven defendants, the unindicted co-conspirators and eBay for the heinous acts against us. I've been told that to begin to heal, I need to get past my anger. I'm not there yet. I've held on to this anger, afraid that if I let it go, no one will make eBay fully accountable for their actions. If they are not, what is there to deter corporations from mobilizing security agencies and their security own department from repeating eBay's actions?

This is too important to let go of my anger yet.

I sincerely hope that the court, in sentencing the defendants, will consider that and make them fully accountable.